



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** September 14, 2021

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /Zoom (Hybrid)

### 1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding.

C. Mercier requested moment of silence in darkened chamber for John Dowling and Roger Dumont. C. Rourke recognized passing of Mr. Dowling. C. Elliott commented on life of Mr. Dowling. M. Leahy requested moment of silence in darkened chamber for Sgt. Johanny Rosario Pichardo, Lawrence Marine killed in Afghanistan.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote / Zoom Participation:

**Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is [MGEARY@LOWELLMA.GOV](mailto:MGEARY@LOWELLMA.GOV). If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom -**

**[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)**

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Conway. So voted.

**Motion** to suspend rules by C. Mercier, seconded by C. Nuon to take Items #11.3 and #11.7 out of order. So voted.

### 3. CITY CLERK

**3.1. Minutes Of Transportation SC August 24th; City Council Regular Meeting August 24th; Zoning SC September 7th, For Acceptance.**



In City Council, minutes read, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Nuon. So voted.

#### **4. GENERAL PUBLIC HEARINGS**

##### **4.1. Ordinance- Create Position And Salary Of DEI Officer In City Manager's Office.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

**Motion** to suspend rules by C. Nuon, seconded by C. Mercier to take Item #11.8 out of order. So voted.

#### **5. COMMUNICATIONS FROM CITY MANAGER**

##### **5.1. Motion Responses.**

In City Council, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Samaras. So voted.

**A) Motion Response - Hiring Health Inspectors Through CARES** – C. Elliott noted the need for inspectors in the student housing area as problems increased during school year.

**B) Motion Response - Pyne School Entrance Landscape Maintenance** – C. Samaras noted the effort of DPW to clean up the area with the assistance of school personnel.

**C) Motion Response - School Street Cemetery Wall** – C. Chau noted the need to fund as there was no insurance coverage of person who damaged the wall. Manager Donoghue noted costs include design plans as it is a retaining wall and that the other problem area is on private property. C. Chau noted wall on private property fell on City sidewalk making area unsafe. Manager Donoghue noted that there has been discussions for resolving the issue with landowner. C. Conway noted area is unsightly and unsafe. M. Leahy noted same issue is present on Nesmith Street.

**Motion** to take Item #11.14 out of order by C. Chau, seconded by C. Nuon. So voted.

**D) Motion Response - Street Sweeping** – C. Nuon noted concise report and the need for added machine and increased efforts. C. Nuon commented that schedule should be posted on neighborhoods could assist with clearing cars.

**E) Motion Response - Shedd Parking Lot** – C. Samaras noted the quick response and the improvement in the lots. M. Leahy commented on paving procedures. Christine Clancy (DPW) noted different paving processes.



**F) Motion Response - Varnum Sidewalk** – C. Elliott noted the recommendation to continue the sidewalk along street.

**G) Motion Response - Hale Street** – C. Chau noted very high pedestrian traffic in area and the need to keep it safe.

**H) Motion Response - Douglas Road Sidewalks** – C. Drinkwater commented on the comprehensive plan in the Capital Plan in conjunction with other work to be done in the area over time. Ms. Clancy noted that there would be sidewalk installed as part of Cawley parking lot improvements.

**I) Motion Response - Carney Field Seating** – C. Drinkwater noted the report and progress being made.

**J) Motion Response - Fire Station Infrastructure** – C. Drinkwater noted that updating all of the firehouses would be costly and there is a funding question. C. Drinkwater noted need to prioritize the major needs and establish time frame for completion. Manager Donoghue noted the need to prioritize. Christine Clancy (DPW) noted the costs of priority projects as well as funding potentials. Conor Baldwin (CFO) commented on possible use of pandemic funding. Manager Donoghue noted these are just repairs being done and not updates. **Motion** by C. Drinkwater, seconded by C. Nuon to refer to Municipal Facilities SC. So voted. C. Rourke noted facilities are in total disrepair and that they are the living quarters for many City employees. Chief Channon (LFD) outlined the ages a status of decay of the firehouses. C. Elliott noted pictures are significant noting there are immediate needs and long range needs. Manager Donoghue noted that there will be assessment to use the pandemic funds to assist with repairs needed. C. Nuon commented on the age of the buildings and that the current advisory group should continue the assessment work. C. Samaras noted that City employees should not be living in these quarters.

**K) Motion Response - Andover Street Turn Markings** – M. Leahy noted the arrows will assist with traffic.

**L) Motion Response - District Four Polling Locations** – C. Mercier noted the need for fairness across the board and it appears the current locations are fair for voters.

**M) Motion Response – Bus Service to Polling Locations** – C. Elliott commented that there are transportation resources in the City for transportation to polling locations.

## **5.2. Informational Reports**

**N) Informational - Voter Information Resources** – Manager Donoghue commented on the outreach information available to citizens.



### **5.3. Communication - Reappointment Of Greg Studwell To Sustainability Council.**

In City Council, Read, **Motion** to adopt by C. Drinkwater, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

### **5.4. Communication - City Manager Request Out Of State Travel (2) LPD.**

In City Council, Read, **Motion** to adopt by C. Nuon, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted.

**Motion** by C. Mercier, seconded by C. Nuon to bundle and waive second readings of Items #6.1 to #6.8, inclusive. So voted.

## **6. VOTES FROM THE CITY MANAGER**

### **6.1. Vote - Approve Exemption Of George E Sansoucy From MGL Ch 268A S20.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott noted the importance of exemption as it would generate tax revenue.

### **6.2. Vote- Authorize CM Accept Gift Of 7,500.00 From DCU To LFD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

### **6.3. Vote- Authorize CM Accept.Expend 15,000 FY22 First Responder Naloxone Grant To LPD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

### **6.4. Vote- Authorize CM Apply.Accept. Expend 35,439.00 JAG FY 2021 Grant To LPD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

### **6.5. Vote- Authorize CM Execute MOU With Lowell Organization Of City Engineers.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue outlined the terms of the agreement.



**6.6. Vote- Authorize CM Execute MOU With Merrimack Valley Employees Assoc Unit IIP.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue outlined the terms of the agreement.

**6.7. Vote- Authorize CM Executed Temporary Access Agreement With Boott Hydropower LLC.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

**6.8. Vote- Transfer 4,100.00 To Cemetery Division Of DPW.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

**7. ORDERS FROM THE CITY MANAGER**

**7.1. Order- 60 Day Trial.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted.

**8. CONSTABLE BONDS**

**8.1. Communication - City Mgr. Request Approval Of Constable Bond For Curtis Freeman.**

In City Council, Read, **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted.

**9. REPORTS (SUB/COMMITTEE, IF ANY)**

**9.1. Subcommittee Reports:**

**1) Zoning SC September 7, 2021.**

In City Council, C. Elliott noted attendance and commented on discussion regarding flood overlay plan and adopted motion to recommend proceeding with ordinance to amend regulations. **Motion** to accept the report as a report of progress and adopt motions by C. Elliott, seconded by C. Mercier. So voted.

**2) Cannabis Control SC September 13, 2021.**

In City Council, C. Elliott noted attendance and commented on discussion regarding executed Host Agreements with retail and cultivation businesses. C. Elliott reviewed revenue generated by these businesses and how that revenue is used in General Fund and stabilization funds. C. Elliott noted motions adopted by subcommittee requested a report regarding use of funds to supplement capital project budget. **Motion** to accept



the report as a report of progress and adopt motions by C. Mercier, seconded by C. Elliott. So voted.

### **3) Finance SC September 13, 2021.**

In City Council, C. Elliott noted attendance and commented on discussion regarding funding for Pollard Library and further noted attendance by the Board of Trustees. C. Elliott noted motion was adopted to immediately supplement funding in the amount that will ensure continued certification and to develop a five year fiscal plan for operations which would include a mobile library. **Motion** to accept the report as a report of progress and adopt motions by C. Elliott, seconded by C. Drinkwater. So voted.

**4) Technology & Utilities SC September 14, 2021.** In City Council, C. Nuon, noted attendance and commented on discussion regarding renewing energy contracts for the City in terms of renewable energy percentages as well as rate adjustments. C. Nuon noted motions were adopted to explore mitigation of energy costs. **Motion** to accept the report as a report of progress and adopt motions by C. Rourke, seconded by C. Samaras. So voted.

## **10. PETITIONS**

### **10.1. Claim - (1) Property Damage.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Rourke, seconded by C. Drinkwater. So voted.

**Motion** to bundle Items #10.2 to #10.12, inclusive, and refer to public hearing at 7PM on September 28, 2021. So voted.

### **10.2. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole #10 At 122 Chapel Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

### **10.3. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole #4 At 57 Court Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

### **10.4. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole #65-1 At 1 Huntoon Avenue.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.



**10.5. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole #92 At 1345 Lawrence Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.6. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole At 119 Holyrood Avenue.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.7. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole At 7 Wamesit Street (On Central St.).**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.8. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole At 7 Whitman Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.9. Cellco Partnership D/B/A Verizon Wireless - Request Installation Of Small Cell Facility On Existing Utility Pole At 72 Main Street (On West London St.).**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.10. National Grid - Request Installation Of 12 Inch Coated Steel Gas Main Along Marshall Avenue, West Forest Street And Chelmsford Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.11. National Grid - Request Installation Of Six Inch Plastic Gas Main 310 Feet Along 4-25 Astor Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.

**10.12. National Grid - Request Replacing Cast Iron Gas Pipe With Plastic Along Genest Avenue.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 28, 2021 at 7PM by C. Elliott, seconded by C. Drinkwater. So voted.



## **11. CITY COUNCIL - MOTIONS**

### **11.1. C. Mercier - Req. City Mgr. Have Proper Department Remove The “Tow Area-No Parking” Sign And Replace It With “Church Only Parking” Sign At 211 Fletcher Street And Refer To Law Department To Prepare A 60 Day Trial Order.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted the importance sign would be for Church.

### **11.2. C. Mercier - Req. City Mgr. Explore Ways And Means To Purchase For Use By The LPD From First Responder Money, A 4-Door ATV That Is Allowed To Idle; And Maneuver Into Small Places And Rough Terrain.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted the limitations of the current vehicle and the need for more reliable equipment.

### **11.3. C. Elliott - Req. City Council Vote To Recommend To The Board Of Parks Dedicate The Basketball Courts At Fr. Maquire Park In Honor Of Cheryl Saba (Letendre) In Recognition Of Her 27 Plus Years Of Community And Volunteer Service To Running The SJA Basketball League.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. Registered speakers, Ryan Hogan and Henri Marchand, addressed the Council. C. Elliott commented on the work of Ms. Saba and her efforts for the community. C. Elliott noted body should recommend recognition to the Board of Parks. C. Mercier noted referral to next Board of Parks meeting. C. Rourke lauded the efforts of Ms. Saba in the community. C. Chau noted her work in the park and with the basketball league.

### **11.4. C. Elliott - Req. Transportation SC Meet Regarding Traffic Congestion On West Meadow Road During School Hours.**

In City Council, seconded by C. Drinkwater, referred to Transportation SC. So voted. C. Elliott commented on traffic and speed issues in the area especially during school hours in the morning.

### **11.5. C. Elliott - Req. City Mgr. Have Inspectional Services Take Immediate Measures To Address Trash Issues On White Street, Sarah Avenue And Gershom Street; And Other Adjacent Streets, In Particular At Rental Properties.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott noted the immediate need for inspectors has students return to class. C. Rourke stated that a Umass-Lowell representative should inform students living in these areas of rules, regulations and responsibilities.

### **11.6. C. Elliott - Req. City Mgr. Have DPW Provide A Report Regarding The Number Of Beaver Dams Addressed At Streams, Brooks And Other Bodies Of**





**Water In Pawtucketville Including Those Adjacent To The West Meadow Conservation Area And Provide Regular Inspections.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted that DPW was working in the area and doing good job but problem is persistent. C. Rourke noted his prior motion and that areas have shown improvement.

**11.7. C. Elliott - Req. Transportation SC Meet Regarding Designating Parking Spots On Mt. Hope Street For The Church, Between White Street And 4th Avenue.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. Registered speakers, Pastor Wayne and Levenia Furmosa, addressed the Council. C. Elliott noted the need for parking and described the area in which there is a large food bank operation. C. Chau commented on the food bank production and the effort being made by the Church and signage needed for safety reasons. C. Mercier noted City should help those who are helping others. M. Leahy noted the production of the food bank.

**11.8. C. Nuon - Req. City Mgr. Provide An Update Regarding Hiring Process To Fill The ARPA Finance Manager, As Well As The Process And The Timeline For The DEI Officer.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon noted the importance of the positions to assist with a diverse community and management of pandemic funds.

**11.9. C. Rourke - Req. City Mgr. Update Council Regarding Traffic Engineer Position And Initiate The Addition Of A Traffic Consultant To The Department Of Planning And Development.**

In City Council, seconded by C. Samaras, referred to City Manager. So voted. C. Rourke noted the need to fill the position and that consultants should be used to manage the backlog of existing motions which call for additional expertise as problems are increasing. C. Elliott commented on the use of a head hunter to fill the position along with the Auditor and that perhaps City should explore hiring less qualified person to fill the position. Christine McCall (DPD) noted there are a number of motion which need technical assistance. C. Samaras noted that traffic continues to be an issue throughout the City.

**11.10. C. Rourke - Req. City Mgr. Provide Update Regarding Construction/Bridge Projects Throughout The City.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Rourke noted need for update for this time of year.



**11.11. C. Drinkwater - Req. City Mgr. Provide An Update Regarding The GoLowell Shared Streets Projects And Corridor Studies, And Possible Funding Sources To Implement Recommended Improvements.**

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Drinkwater commented on resident inquiries and that there was a study that could be revisited that was done for the Appleton Street corridor.

**11.12. C. Chau - Req. City Mgr. Contact Property Owner At Corner Of Nottingham And Powell Streets To Address The Unsightly Overgrowth Of Bushes And Trees On The Property.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Chau noted overgrowth onto a City sidewalk and that neighborhood is well maintained.

**11.13. C. Chau - Req. City Mgr. Have LPD Provide Report Regarding Enforcement Of Noise Ordinance On "Low Riding" Vehicles In The City.**

In City Council, seconded by C. Conway, referred to City Manager. So voted. C. Chau noted LPD has enforced in the past and there is a need to stay on top of issue.

**11.14. C. Chau - Req. City Mgr. Investigate Installing A Fence Around Scullin Park/Morey School Playground Due To Safety Concerns Of Parents And Staff.**

In City Council, seconded by C. Elliott, referred to City Manager. So voted. Registered speakers, Deborah Kohr and Danielle Savoie, addressed the Council. C. Chau commented on calls made and noted the location of the playground which may have safety concerns. C. Mercier noted speakers made a good argument to get work done in that area. C. Elliott noted installation of fence would diminish the liability of the City. Manager Donoghue noted this was first time hearing of issue and would look into matter. C. Conway stressed the importance of safety for children while in schools.

**11.15. C. Samaras - Req. City Mgr. Provide A Report Regarding The Status Of The Cement Stands At Cawley Stadium.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras noted work of private group for the stadium and should be coordination with them. Manager Donoghue will provide report and assessment done by consultant. C. Rourke noted scope of project is impressive.

**12. ANNOUNCEMENTS**

In City Council, C. Mercier wished all involved in LHS fall sports luck in their season. C. Elliott noted hearing on election registration. Manager Donoghue noted the dedication of Hovey Park. Manager Donoghue noted effort of Sue LeMay for employee picnic.



### 13. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Mercier. So voted.

Meeting adjourned at 9:25 PM.

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Michael Q. Geary, City Clerk